

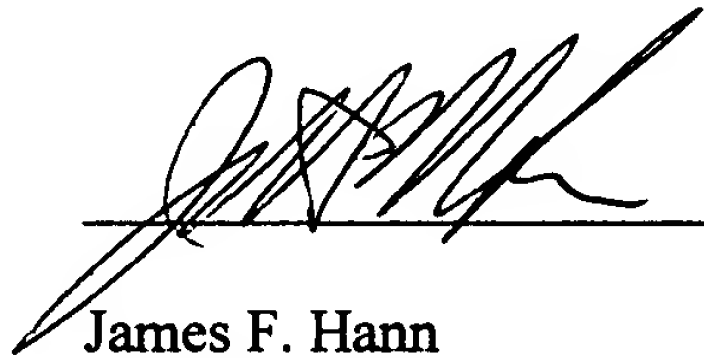
REMARKS

Claims 89-160 remain in this case.

If the Examiner believes a telephone conversation would aid the prosecution of this case in any way, please call James F. Hann, Reg. No. 29,719, one of the attorneys of record, at (650) 712-0340.

Respectfully submitted,

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APPENDIX

Marked-up copies of the amended claim and the amended paragraph in the specification are as follows.

92. (Amended) A target tissue localization device comprising:

a therapeutic bioabsorbable element in a pre-delivery state prior to its delivery to a soft tissue site of a patient;

said bioabsorbable element being of a material which is in a post-delivery state at the target tissue site, the bioabsorbable element being remotely visualizable within the surrounding soft tissue when in the post-delivery state; and

[The device according to claim 90 wherein] the therapeutic agent compris[es]ing a radiation agent.

In addition to permitting the biopsy site to be located by subsequent palpation or other means, the invention also can provide hemostasis and therapeutic benefits. The bioabsorbable element may comprise a therapeutic agent; the therapeutic agent may comprise at least a chosen one of a chemotherapeutic agent, a radiation agent and a gene therapy agent. Since the bioabsorbability can be varied from a day or two to a year or more, the material may be used to treat the diseased tissue and not just locate it. Some current therapies include radiation, chemotherapy, gene therapy as well as other technologies and therapies. Because the bioabsorbability can be easily varied, a medium can be place into the bioabsorbable element and be externally excited or triggered in those cases where the biopsy results are malignant. Further, the bioabsorbability concept can be used for future implantation of a therapeutic agent. For example, if the bioabsorbable element is a dehydrated collagen, this material could be used as a reservoir for, for example, delivery of materials that effect chemotherapy, brachytherapy, etc. Once the laboratory results are received and show the biopsy is malignant and therapy is required, by surgical excision or otherwise, the physician may inject, for example, a radiation pellet, a chemotherapeutic agent or a gene therapeutic agent into or adjacent to the bioabsorbable element for direct treatment of the diseased tissue.